



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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REQUEST FOR PROPOSAL

Date	Subject
April 13, 2009	Request for Proposal for Curriculum Development for Advanced Indian Child Welfare Act (“ICWA”) – Module I, Active Efforts, Case Planning, Placement and Concurrent Planning
To	Action Requested
Prospective Proposers	Please Respond
From	Deadline
Linda McBain	April 30, 2009, end of business day
Contracting Officer	
Business Services, Finance Division	
RFP Number	Submit hard copy proposal to address on page 6
CFCC 04-09-LM ICWA Curriculum Development	

General Information

The Administrative Office of the Courts is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, families, and self-represented litigants in the California courts. One of the projects created to help improve the quality of justice provided those involved with the juvenile courts of California is the *Juvenile Court Education Project*.

A sample of the type of full curricula envisioned by the *Juvenile Court Education Project* is located at: http://calswec.berkeley.edu/CalSWEC/CCCCA_Framework.v1.2.html

One component of this project will be the development of curriculum in a number of topic areas. The curricula will provide the framework for the education of California’s juvenile court judicial officers, attorneys, probation officers, social workers and others, such as Court Appointed Special Advocates (“CASA”) and educational representatives, in each topic area. The topic areas for curriculum development include education on the legal foundation of juvenile law (appeals/writs, dependency/delinquency case law updates and trial skills) as well as education on

specific issues with both legal and non-legal components (Indian Child Welfare Act, mental health, substance abuse, domestic violence, education).

A fundamental understanding of these topic areas will enhance the skills of all those working directly with the children and families in the juvenile court system. These professional and laypersons will have varying levels of knowledge in the topic areas, which must be taken into consideration during the curriculum development process. The curriculum developed will be used as the foundation for live in-person trainings and for the development of future on-line distance learning programs. The curriculum and all materials created by the consultant in the course of or related to this project will be treated as “work for hire” and ownership and control of the curriculum and material shall vest with the AOC.

The initial topic area selected for curriculum development during this phase of the project is for the first module of the advanced curriculum for the Indian Child Welfare Act.

A. Advanced Curriculum

1. Active efforts

- i. What are active efforts as defined by ICWA, and California law (Family code § 177(a); Probate Code § 1459.5(b) and Welf. & Inst. Code § 361.7 and Rule 5.484(c).)?
- ii. How does this differ from a non-ICWA case?
- iii. What does it mean for efforts to be made “...in a manner that takes into account the prevailing social and cultural values, conditions, and way of life of the Indian child’s tribe?” as required by WIC § 361.7?
- iv. If active efforts “shall” utilize the available resources of the Indian child’s extended family, tribe, tribal and other Indian social service agencies and individual Indian caregiver service providers (WIC 361.7) does this mean that tribes need to be contacted even before a decision is made to remove a child/ What if parents object to this?
- v. What is the role of the court, attorneys, CASAs, parties in workings with the tribe(s)?
- vi. In a non-dependency case (i.e. probate guardianship or family law case) who is responsible for providing “active efforts”? What would these efforts look like in this context?

2. Case Planning

- i. What should the case plan for an Indian child and family look like?
- ii. How does this differ from a case plan in a non-ICWA case?

- iii. How should the case plan for an Indian child and family be developed?
- iv. How does this process differ from a non-ICWA case?
- v. Is there any different responsibility in an ICWA case for ensuring that the family understands the case plan and is able to comply (i.e. transportation, timing, etc)?
- vi. What is the role of the court, attorneys, CASAs, parties in working with the tribe(s) to develop a case plan?
- vii. How does the court ensure that the child's connection to their Indian tribe/culture/community is fostered and protected?
- viii. Who is responsible for ensuring that the child can attend culturally significant events?

3. Placement

- i. How does the court ensure that a proposed placement of an Indian child complies with the ICWA placement preferences?
- ii. What are the respective rights, roles and responsibilities of the agency, the tribe and the court in determining the appropriate placement for an Indian child?
- iii. When must the court and agency accept a placement proposed by the child's tribe? What efforts if any must be made to accommodate a preferred tribal placement if it does not meet the normal county placement standards?
- iv. When can a court deviate from the ICWA placement preferences? What evidence must be provided before this can happen?
- v. What is the role of the court, attorneys, CASAs, parties in consulting with the child's tribe in obtaining and supervising the placement of an Indian child?

4. Concurrent Planning

- i. How should the agency and the court approach concurrent planning in an ICWA case:
- ii. How involved should the child's tribe be in concurrent planning;
- iii. What unique considerations are there in permanency planning for Indian children; and
- iv. What different permanency options should be considered for Indian children?

The AOC would like you to propose on the role of curriculum developer for the Advanced Indian Child Welfare Act – Module I, Active Efforts, Case Planning, Placement and Concurrent Planning.

Curriculum Development

The purpose of this Request for Proposals is to secure a contract to provide the services of a consultant with curriculum development experience to:

1. Organize, convene, and facilitate four meetings of the Indian Child Welfare Act Advisory Group.
2. Conduct research to determine what case law, statutes, rules, policies and academic research may inform the answer to these questions.
3. Monitor and summarize e-mail correspondence among members of the advisory group;
4. Develop full curriculum for the topic area incorporating the material and information gathered from the advisory group meetings and email correspondence. The curriculum must include the following components:
 - a) Competencies;
 - b) Learning objectives;
 - c) Lesson plans;
 - d) In-person and distance learning training;
 - e) Training guide;
 - f) Supplemental material including power point, handouts, case examples, model ICWA case plans, and other training material; and
 - g) Full bibliography.
5. Include in the curriculum alternative approaches to accommodate the varying knowledge levels of potential attendees as well as the different learning styles that may be present within a group of attendees.

Compensation

The total amount the State may pay the consultant for services performed under this Agreement shall be the flat-fee amount of **\$10,000.00**. The flat-fee amount shall be inclusive of all costs, benefits, expenses, fees, overhead, markups and profits payable to the consultant.

Source of Funding

Funding for the services performed under this Agreement shall be provided by a grant from the State of California, Health & Human Services Agency, Department of Social Services. The grant number is 07-2028 A-1.

Evaluation of Proposals

Proposals will be evaluated by the AOC using the following criteria, in order of descending priority:

- a. Quality of work plan submitted
- b. Experience on similar assignments
- c. Ability to identify, access, and utilize appropriate subject matter experts
- d. Ability to meet timing requirements to complete the project

Questions & Answers

Questions regarding this RFP should be directed to Solicitations@jud.ca.gov by **April 22, 2009, end of business day**.

Submission of Proposals

Proposals should include the following:

1. Name, address, telephone and fax numbers, and federal tax identification number. Note that if a sole proprietorship using its social security number is awarded a contract, the social security number will be required prior to finalizing a contract. This information is entered on Attachment 1, Payee Data Record Form.
2. Names, physical and electronic addresses, and telephone numbers of a minimum of two (2) clients for whom the consultant has developed full curriculum with the specified components. The AOC may check references listed.
3. Names, physical and electronic addresses, and telephone numbers of a minimum of two (2) clients for whom the consultant has demonstrated the ability to identify, access, and utilize subject matter experts appropriate to topic area for which curriculum was developed. The AOC may check references.
4. Names and professional qualifications of subject matter expert that consultant expects to employ for this project.
5. Describe key staff's knowledge of the requirements necessary to develop the requested curriculum.
6. A final version of full curriculum, all components, and alternative approaches.

Proposers will submit a hard copy original of the proposal, a completed Attachment 1: Payee Data Record Form and an electronic version of both on CD-ROM by **April 30, 2009, end of business day** to:

Request for Proposal – ICWA Curriculum Development

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We look forward to hearing from you. Thank you for your interest in this project.